

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02-19-15

SHADY BOLTON, *et al.*,
Plaintiffs,

ENRIQUE ROSADO,
Plaintiff,

ABUBAKR SANCHEZ,
Plaintiff,

JOSÉ SOTO,
Plaintiff,

WILLIAM TIRADO,
Plaintiff,

EDUARDO SANTANA,
Plaintiff,

-v-

CITY OF NEW YORK,
Defendant.

TASHON SPURGEON,
Plaintiff,

MARK GREEN,
Plaintiff,

-v-

WARDEN LUIS RIVERA, *et al.*,
Defendants.

No. 13-cv-5749 (RJS)

No. 13-cv-6340 (RJS)

No. 13-cv-6624 (RJS)

No. 13-cv-6843 (RJS)

No. 13-cv-7195 (RJS)

No. 13-cv-7659 (RJS)

No. 13-cv-6090 (RJS)

No. 13-cv-6259 (RJS)

TERRON SESSION, *et al.*,
Plaintiffs,

-v-

DORA B. SCHRIRO, *et al.*,
Defendants.

No. 13-cv-6348 (RJS)

ORDER

RICHARD J. SULLIVAN, District Judge:

On October 14, 2014, the Court set a briefing schedule for Defendants' contemplated motion for summary judgment that directed Defendants to file their motion by November 14, 2014 and Plaintiffs to file their opposition by December 1, 2014. (No. 13-cv-6090, Doc. No. 32.) On November 14, 2014, Defendants timely filed their motion. (No. 13-cv-6090, Doc. No. 35.) To date, no Plaintiff in any of the AMKC Cases has filed an opposition brief. The Court is now in receipt of a letter from Plaintiff Tashon Spurgeon, dated February 6, 2015, requesting more time to file his opposition to Defendants' consolidated motion for summary judgment. Plaintiffs' deadline to file an opposition expired ten weeks ago.

Nevertheless, in light of Plaintiffs' pro se and incarcerated status, IT IS HEREBY ORDERED THAT all Plaintiffs in the AMKC Cases have until March 16, 2015 to file their opposition to Defendants' motion for summary judgment. Plaintiffs are specifically directed to address Defendants' administrative exhaustion argument in their opposition. The Court also again reminds Plaintiffs that failure to submit responsive 56.1 statements will be deemed an admission of the facts set forth in Defendants' 56.1 statement. Local Civil Rule 56.1(c). Defendants shall serve each of the Plaintiffs with a copy of the notice required by Local Civil Rule 56.2, which Plaintiffs should read carefully.

IT IS FURTHER ORDERED THAT no additional extension requests will be granted to any Plaintiff for any reason.

SO ORDERED.

Dated: February 19, 2015
New York, New York

A handwritten signature in dark ink, appearing to read "Richard J. Sullivan", written over a horizontal line.

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

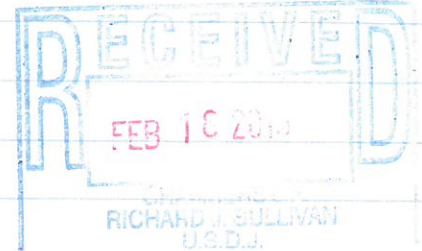
Copies of this Opinion and Order were sent to:

All *Pro Se* Plaintiffs in the AMKC Cases at the addresses listed on ECF.

1 of 2

Tashon Spurgeon 14A1421
Fishkill Correctional Facility
Box 1245
Beacon, New York 12508

re: ~~(Class)~~ A.M.K.C. lockdown cases
~~Spurgeon v. Rivera, et al., 13-cv-6090~~
Spurgeon v. Rivera, et al., 13-cv-6090



To: Honorable Richard J. Sullivan
United States District Judge
Thurgood Marshall United States Court House

Dear Judge Sullivan:

I am an inmate that is apart of The A.M.K.C. lockdown cases, That's Being Heard in your Courtroom, my last motion I received By The Defendants was dated October 16 2014, which They Filed A motion for an Five week Adjournment, due to a Newly ASSIGNED attorney, An it was ordered That defendants File Their Summary motions By November 14, 2014 and That I should Respond by December 1, 2014, I Apologize for such late Response for This matter, Due to me Being Transferred to another facility Prior to me Receiving defendant's motion, I was not able to obtain medical Records And Copies of The Housing Log Books where The lockdown took Place From Department of Corrections (A.M.K.C.) alot of legal papers of mines That is vital to my Accusation and defense and Claims were lost During me Being Transferred to This facility where I reside now, I am asking your Honor if it's possible to give me more time to File again and obtain These documents From Department of Corrections and The medical Department so That I could forward These documents to you in Response to The defendants motion. I am now At fishkill Corr. fac. I was at Mohawk Corr. fac. At The time The order was granted for The defendants and me to Respond I am also in process of obtain a lawyer as well to Fight my Case who Can Respond to any and all motions and

orders that may be requested by The Courts or defendant, much more faster & freely than I can due to my consistent transferring conditions and situation. I have not received anything on the opinion and order, ~~not at all~~ ^{order} at all, I am not getting my mail as I should due to me moving from facility to facility in time, I've been receiving mail late and days sometimes weeks later, again apologize for the delaying in my response and is asking to be updated on my claim and status, of my case, I am still suffering and having a lot of physical & mental issues behind the defendant's actions and I do wanna go on and prove my claims against the defendant. My new address is at the top of my letter to you and on the envelope in the return address area, Thank you for your time honor & await your response in regards to my case.

Complaintiff Tasha Spurgeon Dated 2-6-15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

To: Judge Richard J. Sullivan

Tashon Surgeon

(List the full name(s) of the plaintiff(s)/petitioner(s).)

13 CV 6090 () ()

-against-

NOTICE OF CHANGE OF
ADDRESS

WARDEN Luis Rivera, et al.

(List the full name(s) of the defendant(s)/respondent(s).)

I hereby notify the Court that my address has changed to the following:

Surgeon, Tashon 14A1421

Name (Last, First, MI)

Fishkill Correctional Facility, Box 1245 Beacon N.Y. 12508

Address

City

State

Zip Code

Telephone Number

2-6-15

Date

E-mail Address (if available)

Tashon Surgeon

Signature